

1 STEVEN BENITO RUSSO
Chief of Enforcement
2 STEVEN MEINRATH
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Attorneys for Complainant
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of) FPPC No.: 01/443
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14) STIPULATION, DECISION and
15) ORDER
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Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents Robert Kudler and K&W Aviation, hereby agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand and hereby knowingly and voluntarily waive any and all procedural rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2 of the California Code of Regulations. This includes but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to

1 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a
2 hearing officer.

3 It is further stipulated and agreed that Respondents violated the Political Reform Act in that they
4 failed to file a semi-annual campaign statement, in violation of Government Code section 84200,
5 subdivision (a) (one count); failed to file late independent expenditure reports, in violation of
6 Government Code section 84204 (five counts); and failed to maintain campaign records and accounts, in
7 violation of Government Code section 84104 (one count), as described in Exhibit 1, which is attached
8 hereto and incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate
9 summary of the facts in this matter.

10 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
11 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
12 of twelve thousand dollars (\$12,000). A cashier check from Respondents in said amount, made payable
13 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the
14 administrative penalty, and shall be held by the State of California until the Commission issues its
15 Decision and Order regarding this matter. The parties agree that in the event the Commission refuses to
16 accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
17 Commission meeting at which this Stipulation is rejected, all payments tendered by Respondents in
18 connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and
19 agree that in the event the Commission rejects the Stipulation and a full evidentiary

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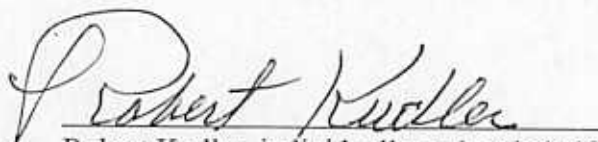
1 hearing before the Commission becomes necessary, neither any member of the Commission, nor the
2 Executive Director, shall be disqualified because of prior consideration of this Stipulation.

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5 Dated: 5/20/03



6 Mark Krausse
7 Executive Director
8 FAIR POLITICAL PRACTICES COMMISSION

9 Dated: 5-15-03



10 Robert Kudler, individually and on behalf of K&W
11 Aviation, Respondents

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14 **DECISION AND ORDER**

15 The foregoing stipulation of the parties "In the Matter of Robert Kudler and K&W Aviation,
16 FPPC No. 01/443," including all attached exhibits, is hereby accepted as the final decision and order of
7 the Fair Political Practices Commission, effective upon execution below by the Chairman.

18 IT IS SO ORDERED.

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20 Dated: _____

21 Lianne M. Randolph, Chairman
22 Fair Political Practices Commission